

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JESUS ROSALES-LEON,

Petitioner,

v.

MICHAEL CHERTOFF, et al.,

Respondents.

CASE NO. C07-871-RSM

ORDER OF DISMISSAL

The Court, having reviewed petitioner's 28 U.S.C. § 2241 petition, all papers and exhibits in support and in opposition to that petition, the Report and Recommendation of the Honorable Monica J. Benton, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Petitioner's § 2241 petition, Dkt. #1, is DENIED, respondents' motion to dismiss, Dkt. #10, is GRANTED, and this action is DISMISSED without prejudice; and
- (3) The Clerk is directed to send copies of this Order to the parties and to Judge Benton.

DATED this 20th day of September, 2007.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE